

**Opening Statement of Republican Leader Greg Walden  
Subcommittee on Environment and Climate Change  
“Protecting the RFS: The Trump Administration’s Abuse of Secret Waivers”  
October 29, 2019**

*“As Prepared for Delivery”*

Thank you, Mr. Chairman.

I understand that today’s hearing has multiple objectives: it’s a legislative hearing on H.R. 3006, the Renewable Fuel Standard Integrity Act, an oversight hearing of both small refinery exemptions and the recent supplemental proposed rule on required production of certain renewable fuels, and, frankly, score political points with a specific group of voters.

I am sure H.R. 3006 is a well-meaning attempt to address concerns biofuel producer and feedstock producers have about the issuance of waivers, but I have questions about this legislation. From my reading, I am confused about the timing between the deadline for a requesting waiver and the rules establishing required volumes. I am also troubled by the broadness of the precedent the bill sets in removing protections for any legitimate trade secret or intellectual property submitted to EPA as part of a waiver. I hope our witnesses can help us understand whether

this bill needs changes to be workable and whether they would consider this a good policy if it were applied to them.

As to the EPA's recent supplemental proposal on the required production amounts for certain biofuels in 2020 and 2021 and its administration of the small refinery waiver; I wish we had a witness from the EPA here to explain its logic for proposing the changed calculations of renewable fuel percentages, how that will ensure industry blends what's intended, and required volumes are not reduced by future hardship waivers. I understand the EPA offered alternate dates to appear before our committee; but considering that the EPA is holding a public hearing on this subject tomorrow and then will be taking comment for another 30-days, it seems it would have been prudent to postpone long enough for our committee to engage in meaningful oversight.

This is hardly the only issue with the RFS; a broader hearing on the entire program seems like it would have been a more appropriate.

Take renewable fuels sourced from woody biomass. Not only can Woody biomass produce the most desired, yet least produced fuel under the RFS, it also helps thin our forests and reduce the risk of catastrophic fires that pump carbon emissions into the atmosphere. Despite these

advantages, RFS treats wood from private and federal land differently, even though there is no scientific difference. This is a missed opportunity. If we are serious about expanding renewable fuels, and further lowering carbon emissions, we cannot establish arbitrary conditions and be so narrowly focused on who owns the wood. We need innovation, preparation, and conservation-based solutions.

Let me be clear though, the RFS is important to many people, particularly in a time of uncertainty in commodity markets. If we are going to look at this program seriously, we should do it in a way that is broader and improves the program for consumers and not just incumbent producers.

Finally, let me say something about the most obvious part about this hearing:

We are holding a hearing on the need for more bio-based liquid transportation fuels when every other indication from the Majority – whether talking points, it's ill-defined 100 by 50 proposal, of which we have many questions, the Green New Deal, or the LIFT Act – each revolve around doing away with liquid fuels to power light-duty and heavy-duty vehicles fuel mix. Based on this policy desire and

Department of Energy data showing a decline in the use of liquid fuels, it is perplexing that the Majority called this hearing to promote the use of liquid fuels and the Renewable Fuels Standard at the same time that it's promoting policies against continued use of these fuels.

I know the House Majority Leader has signaled to the press that Democrats are for farmers because they oppose the Administration's latest proposal, but folks in farm country, while frustrated with the situation, can see right through this to what it is.

We should be about solutions, not duplicitous, one-off political pandering. This committee is better than that.

As Mr. Shimkus and Flores showed us last year, we know farmers, biofuels producers, and refiners have concerns about the RFS, but union workers and others have major concerns about the RFS, too. If we're sincere about a future that includes liquid transportation fuels, let's bring all the people affected into this discussion and let's try to work through some of these problems.

Mr. Chairman let's do some real bipartisan work we can be proud of. I yield back.